

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 18-13988
v.	:	
	:	
PITTSBURGH LOGISTICS SYSTEMS, INC.	:	Board Case No.:
D/B/A PLS LOGISTICS SERVICES	:	12-CA-189005
	:	
Respondent	:	

UNOPPOSED MOTION TO DISMISS THE BOARD'S APPLICATION FOR
SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER OF
THE NATIONAL LABOR RELATIONS BOARD

To the Honorable, the Judges of the United States
Court of Appeals for the Eleventh Circuit:

Pursuant to Federal Rule of Appellate Procedure 42(b), the National Labor Relations Board ("the Board"), by its Deputy Associate General Counsel, respectfully moves to dismiss, without prejudice, the Board's application for enforcement in the above-captioned case and shows:

1. The Board's application for summary entry of a judgment enforcing the Board's March 16, 2018 Order issued against Pittsburgh Logistical Systems, Inc., (PLS) in the above-captioned case, was docketed by the Court on September 17, 2018, docket number No. 18-13988.

2. On October 11, 2018, the Board filed a motion to place the case into abeyance pending completion of compliance efforts by PLS. The Court granted the motion on November 13, 2018.

3. Board is now satisfied that PLS is complying with the Board's order. Accordingly, the Board seeks to withdraw its application for summary entry of a judgment enforcing the Board's order, without prejudice, each side to bear its own costs.

4. Counsel for PLS, Benjamin J. Steinberg, has been contacted and states that he does not object to this motion to dismiss.

WHEREFORE, the Board requests that the Clerk enter an order dismissing without prejudice the above captioned case, each side to bear its own costs.

/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

National Labor Relations Board

1015 Half Street, S.E.

Washington, D.C. 20570

Dated in Washington, D.C.
this 3rd day of December 2018

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CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2018, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the appellate CM/ECF system. I further certify that the foregoing document was served on all those parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the address listed below:

Ben Steinberg
Myers Law Group, LLC
17025 Perry Hwy
Warrendale, PA 15086-7547

Jeffrey P. Myers Esq.
Myers Law Group, LLC
17025 Perry Hwy
Warrendale, PA 15086-7547

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, S.E.
Washington, D.C. 20570
(202) 273-2960

Dated at Washington, D.C.
this 3rd day of December 2018

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1) the Board certifies that its motion to dismiss contains 213 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 2010. This document complies with the length limits of FRAP 27(d)(2)(A), the typeface requirements of FRAP 32(a)(5) and the type-style requirements of FRAP 32(a)(6).

/s/ Linda Dreeben

Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570

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	:	
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CERTIFICATE OF INTERESTED PERSONS

The Board certifies that the following persons have an interest in the outcome of this case, as defined by 11th Cir. R. 26.1-1.

John Cervantes	Charging Party
Karen Menconin,	Respondent, PLS Logistics Services
Jeffrey P. Myers Esq.	PLS Counsel, Myers Law Group, LLC
Ben J. Steinberg	PLS Counsel, Myers Law Group, LLC
William J. Emanuel	NLRB Board Member
Lauren McFerran	NLRB Board Member
Mark Gaston Pearce	NLRB Board Member
Peter B. Robb	NLRB General Counsel
Linda Dreeben	NLRB, Deputy Assoc. General Counsel
David Cohen	NLRB, Regional Director, Region 12
John W. Plympton	NLRB, Attorney
Imee C. Licare	NLRB, Resident Agent

/s/ Linda Dreeben

Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570

Dated at Washington, D.C.
this 3rd day of December 2018